

**From:** Chip Sockwell  
**To:** Microsoft ATR  
**Date:** 1/23/02 11:56am  
**Subject:** Microsoft Settlement

This letter is addressed to the District Court Judge handling the Microsoft Settlement.

Dear Sir or Madam:

The matter of the Microsoft settlement now before your court is something that concerns me deeply. I grew up in a time of emerging computer and technology giants. I followed technology like my peers followed comic books. To me technology had the same great story line: good vs. evil, brainpower vs. brute force, innovation vs. stagnation. Superheroes and villains blinked in and out of existence always to be knocked aside by the next greatest advancement. Reading about these adventures carved my definition of American spirit. With the backdrop of the American free market the spirit of these heroes unprecedented creativity, innovation and efficiency helped opened a new era in history. I still struggle to understand the infinite complexities that took place only a decade ago and I only hope to keep a finger on the countless decisions and maneuvers that take place in today's technology market.

It is an appeal to your American spirit that I write this letter today. From my own experience I have seen a troublesome decline in American spirit and optimism due directly to the Microsoft case and its premise. Before the events in the Microsoft trial unfolded I had been completing my college degree in Information Systems. Looking back at the spirit of my classmates I noticed a palpable and enthusiastic "I'm going to show everyone and make a million" attitude. This American spirit and enthusiasm for technology bleed through into most every topic the class and the teachers discussed. The number of technology classes could not meet the demand of philomaths lining up at the business schools doors. That is until the courts decided to entertain the pleas of Microsoft's fallen competitors. By the time the verdict had been read most students knew that the situation would not blow over by graduation. Technology became the topic of failure and a seat in a technology class was no longer prized possession. Many students were depressed by the subsequent downturn in the economy, but some were left questioning the fundamentals that gave Americans their optimistic spirit: the rights to life, liberty and the pursuit of happiness. The Microsoft case was and is in direct violation to the latter two. The DOJ has sent a clear message: Microsoft, you have had enough liberty and happiness. Microsoft exhibited the same competitive behavior that we were studying in textbooks, yet their troubles seem to stem from one un-American axiom. If you become moderately successful, your business practices will be labeled as competitive; if you become very successful, your practices will become the subject of anti-competitive scrutiny and jealousy. The anti-trust laws are not being applied fairly in this case and their very nature prevents them from ever being applied objectively. Has it come to pass that we now define the legality business practices by the success of the

producer? Will the courts now be a competitive tool for the incompetent?

Leaving the puerile comments and verdict of Judge Jackson aside, justice in America cannot be served until every business knows that it is free to produce and compete. The weakness of DOJ's case has only proven that this freedom is subject to whim and jealousy. The American spirit will not be restored until this case removes the limits on liberty and the pursuit of happiness.

Sincerely,

Chip Sockwell (Devoted Microsoft user- until the next greatest thing comes along)

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